

## **Caroline Town Board Meeting of December 09, 2015**

The Town Board Business meeting held on December 09, 2015 at the Caroline Town Hall was called to order at 7:00 p.m. by Supervisor Don Barber.

### **Attendance:**

Don Barber, Supervisor  
John Fracchia, Councilmember  
Irene Weiser, Councilmember  
Mark Witmer, Councilmember and Deputy Supervisor  
Tim Seely, Councilmember

### **Recording**

**Secretary:** Marilou Harrington-Lawson, Town Clerk

**Also present:** Six members of the public were present

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### **Privilege of the Floor**

No one addressed the board

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### **Agenda**

#### **Salute to the Flag (7:00)**

**Privilege of the Floor:** Opportunity for citizens to bring forward matters of concern

*Please be prepared to make one statement not to exceed 3 minutes in length*

#### **Highway Superintendents Report (7:20)**

#### **Supervisors Report – (7:25)**

#### **Cooper Cemetery (7:30)**

#### **Department, Committee, & Liaison Reports (7:50)**

#### **Discussion and Action Topics**

- Transfers – (8:00)
- Approve Abstracts: Highway, General, Lighting (8:05)
- Approve Minutes of Oct 6 & 14, November 5 & 11 meetings (8:10)
- Discuss status of Slaterville Ambulance Contract (8:20)

- Resolution establishing County over-target budget funding for youth programs be use for Youth Employment (8:50)
- Infrastructure funding resolution (8:55)
- Cooper Cemetery Resolution (9:00)
- Resolution for CU Design Connect services (9:10)
- Resolution to Establish Town Barn Reserve (9:15)
- Resolution to establish year end meeting (9:20)
- Resolution to Establish 2016 Organization meeting (9:25)

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## Reports

### **Cindy Whittaker, Highway Superintendent**

The Highway Department is working on pot holes and brush because of warm weather.

### **Don Barber, Town Supervisor**

Correspondence of Note:

Report:

1. Ambulance: Since our last meeting, I have made contact with Lee Shurtleff about possibilities with the SVA Inc. not continuing service. My concern was the loss of Certificate of Need for our Town and the heavy lift to secure another. In Lee's opinion, the Town could form an Ambulance District and with that authority apply for a temporary CoN. If granted a temporary CoN, the Town would have 2 years to develop an organization to comply with Ambulance Service requirements. The Town could apply for BLS at first and then apply for ALS on a subsequent 2 year temporary certificate. The Town is not required to be the Organization performing the service- in other words, it could be hired out. Lee thought that due to the few ambulance organizations around and all being stretched that there would be no competition for the CoN and that the Town has a high probability of acquiring the temporary CoN.
  - a. Upon further research the Town had budgeted for the Map, Plan, and Report which is a precursor to a public referendum on creation of a Special District (Ambulance) back in 2001 but pulled back plans when a portion of the population actively engaged in stopping that process.
  - b. I have contacted the AoT to get information on the process for forming a Special District, the requirements of the MP&R, and contacts at State Health that would issue the CoN
  - c. For me this represents a possibility for continued service albeit after some absence of local service. I recommend that the Town Board allocate some funds for Ambulance Service for 2016 in the event the Community can rise to the occasion. The tax payer lift in subsequent years will be less than if all line A4540.4 we wiped out.
  - d. I will continue to gather and share information about formation of a Special District and NYS contacts for information gathering. At the same time, I would ask the Town Board to speak to the community that there will be some amount of time without local service (that doesn't mean NO service). And that the Town Board has allocated funds for

supporting any initiative that comes forward and is working to create a Special District that will create a space for the community response,

- e. At this point in time we also need to speak with our Fire Companies to make sure they are aware that they will now be the only local source of first response
2. Broadband: This initiative has currently two separate heads. One is Vandemark Road and the other is developing a plan for Town wide coverage.
- a. Vandemark Road. CC has reviewed the topographical data and has determined that the location is the best and any other location significantly limits households that can be served. Electricity, that is agreed to be paid by the Town for the service connection, has two nearby sources. Haines-Eitzen has denied access from their property. Barber-Rosenberg have a conservation easement on the land immediately adjacent to the pole location. B-R have two poles that due to location will need underground service entrance. B-R are in contact with USDA about their willingness to allow underground service. Cost would \$3K-4K range.

The code officer has raised two concerns about Vandemark Road that will need Town Board attention; Section 10 of LL #2 of 1998 Regulating the siting of telecommunication towers deals with visibility of towers and requires painting to harmonize with surroundings. I believe this condition can be waived with little impact.

The second is section 13 Entitled Lot Size and set back. This section requires set back so that ice falling from antennae do not cause a hazard to adjacent properties. Clarity Connect's SUP application describes the antennae's as being between 2' and 3' in diameter which is comparable in surface area to many electric transformers on electric poles. I believe this requirement can be waived as well. Section 13 also requires minimums setback from property lines equal to the height of the tower. The Vandemark Tower is in the corner of the B-R property, therefore its fall zone is partially on adjacent properties. I don't have a suggestion here other than to pony out that many of the original SUP application sites had poles that would not comply with this requirement and the permit was issued.

- b. The Town is setting on \$55K of donations and \$135K of committed, but not signed off, DASNY funds for universal broadband. It is very clear that the infrastructure plan that was in place when these funds were raised is no longer viable. What are our options? CC has a functioning transmitter at Taft Road and possibly at Vandemark. The BB Committee has entered into discussions with Haefele to extend their fiber into some sections of the Town. Even if all of this were to come to be, there would be significant sections of the Town without BB service. NYS has approved funding for more BB infrastructure build-out but the terms of the grant are still in negotiations. I have met with Senator Seward and he has his staff staying abreast of this grant development to allow Caroline to apply. Assuming all goes well and the Town can apply, we don't have a plan or a projected cost to serve the unserved BB households. Developing that plan will take money. During discussions with the County BB Committee, it was made known that they would assist in applying political leverage, but no financial support to develop an engineering plan.
    - i. My recommendation is that the Town reach out to funders of the \$55K to share our story of where we are and ask if they are willing to keep funds in the kitty and if so if they are willing to let them be used for engineering.
3. To ease the transition, I am working with Supervisor Elect Witmer on daily tasks to get him acquainted with the process.

## **Tim Seely, Town Board**

### **Mark Witmer, Town Board- Supervisor Elect**

Advertise for applications to fill my vacated council seat, one Subdivision Review Board seat, and a Planning Board seat. Invite participation in other town committees. Proposed that applications due by Jan. 30; interviews and decisions at Feb board meetings.

Discuss meeting protocol and working goals of the board.

Set days for town meetings in 2016.

Establish committee to review salaries of town officials.

Advise and support Planning Board in developing revised Comprehensive Plan.

Appoint Don Barber as Deputy Supervisor

### **John Fracchia, Town Board**

#### Emergency Services

- Continued investigating potential options with Slaterville Ambulance board regarding pursuing part-time paid staff as a means to alleviate volunteer shortage while continuing service in 2016. Learned that the Vestal, NY squad was part of the town and separated from it when they moved to a paid-hybrid service model.
- Research by Attorney Guy Krogh (initiated by Supervisor Don Barber) finds no legal method for paid EMS staff to be town employees on loan to a business entity.
- Met with Slaterville Ambulance board and Don Barber to share these findings. Brainstormed suggestions to ease the administrative burden of employees with the ambulance being the employer or record. They shared with us that they have leads on two paramedics who may be interested in filling these roles. Also discussed bringing on a part-time paid driver. We advised that they reflect these in their budget request.

#### Greater Tompkins County Municipal Health Insurance Consortium

- Attended GTCMHIC annual meeting on September 24. Several resolutions were offered including: 1) Adoption of the 2016 budget, 2) Adoption of Gold and Silver plan options, 3) An amendment to the code of ethics regarding dispute resolution, 4) Admission of the Village of Virgil to the Consortium and 5) Adoption of a Wellness Component for the metal level plans.
- Resolutions 1-3 passed, but I had to leave before the votes on resolutions 4 and 5.
- The annual budget indicates a potential small decrease in costs from FY2015. I abstained

on this vote due to the fact that the board received the budget less than a day before we were supposed to vote on it. Good discussion was had regarding sufficient and appropriate review periods and an effort will be made to incorporate them into the process for FY 2017.

### CIT

- Discovered that the Town's website had been hacked and investigated the cause. Learned that PowWeb's security had identified malware and shut the site down. There is a service called, "SiteLock" which defends against these types of attacks and which addresses malware issue. In the interest of making this resource available to our community as soon as possible, I paid for the service and our site was restored within a few hours. It is my strong recommendation that we continue SiteLock moving forward.
- Met with the County Broadband Committee on October 5 to discuss concerns with Clarity Connect and the process. The discussion was productive, but ultimately not fruitful as Mr. Bartosch of Clarity Connect is unwilling to sign a Service Agreement with the Town. Recommend that we reset as a new project.
- Am developing a proto-type as an interim website in order to address the difficulties that we have been experiencing with our current site.

### **Irene Weiser, Town Board**

Don's property the pole is not as big an as obtrusive as expected. 30 minutes write in Meeting with Chuck put together 2 different option; design it for a fee or work with him on the grant he would design and submit the grant on our behalf. He thought the amount to design it would be \$25,000. Can check with Bluewing for another proposal. Councilmember Weiser suggesting to take \$50,000 of the monies from the budget that is coming back from the Slaterville Ambulance.

### **Dan Klein, County Representative**

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### **Transfers Resolution 166 of 2015**

A motion was made by Mr. Barber and seconded by Mr. Seely

**Be It Resolved the Caroline Town Board makes the following 2015 Fund Transfers**

\$ 7,725.00 from General Fund Account A 1420.4 Legal CE to General Fund Account A

## 1220.4 Supervisor CE.

- \$ 1,600.00 from General Fund Account A 1480.4 Public Information CE to General Fund Account A 1620.4 Town Hall CE
- \$ 215.00 from General Fund Account A 1480.4 Public Information CE to General Fund Account A 1620.41 Info Tech CE.
- \$ 103.00 from General Fund Account A 1990.4 Contingency to General Fund Account A3510.4 Dog Control CE.
- \$ 550.00 from General Fund Account A 5132.4 Garage CE to General Fund Account A 5010.4 Highway Admin CE.
- \$ 400.00 from General Fund Account A 7510.2 Historian EQ to General Fund Account A 7510.4 Historian CE.
- \$ 400.00 from General Fund Account A 7510.41 History Room CE to General Fund Account A 7510.4 Historian CE.
- \$ 65.00 from General Fund Account A 7510.4 Library CE to General Fund Account A 7510.4 Historian CE.
- \$ 425.00 from General Fund Account A 1910.4 Unallocated Insurance CE to General Fund Account A 8710.4 Conservation CE.
- \$ 465.00 from General Fund Account A 9040.8 Workers Comp to General Fund Account A 9060.8 Health Insurance.
- \$ 435.00 from General Fund Account A 9030.8 FICA to General Fund Account A 9060.8 Health Insurance CE.
- \$ 12,000.00 from Highway Fund Account DA 5130.1 Equipment PS to Highway Fund Account DA5110.1 Repairs PS.
- \$ 1,475.00 from Highway Fund Account DA 5112.11 Capital Improvement PS OT to

Highway Fund Account DA5112.1 Capital Improvement PS

\$ 246.00 from Highway Fund Account DA 5140.111 Vacation/Sick to Highway Fund Account DA5112.1 Capital Improvement PS

\$ 3,000.00 from Highway Fund Account DA 5142.1 Snow and Ice PS to Highway Fund Account DA5140.1 Misc PS

\$ 2,500.00 from Highway Fund Account DA 5140.4 Misc CE to Highway Fund Account DA 5130.4 Equipment CE

**Further Resolved**, the Caroline Town Board makes the following **Interfund Transfer**:

\$ 876.80 from Debt Service account V 909 Unreserved Fund Balance to General Account A909 Unreserved Fund Balance

**Further Resolved**, the Caroline Town Board makes the following **budget adjustment**:  
Decrease General Fund Account A1440.405 Creek Engineering by \$10,000.

**Further Resolved**, the Caroline Town Board makes the following **General Fund transfer**:  
\$8,400.00 from Account A 1620.43 Town Hall Roof Repair to Roof Repair Reserve account A231

**Further Resolved**, the Caroline Town Board makes the following **Highway Fund transfer**:  
\$10,000.00 from Account DA 9060.81 Health Insurance Reserve to Health Insurance Reserve Fund DA 234

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

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**Approval of Abstracts**

**Resolution 168 of 2015**

**Streetlight Fund Abstract**

A motion was made by Mr. Barber and seconded by Mr. Seely to approve payment for the Streetlight Fund voucher number 22 and 23 for \$354.43.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

**Resolution 169 of 2015**

## **General Fund Abstract**

A motion was made by Mr. Barber and seconded by Ms. Weiser to approve payment for the General Fund voucher numbers 388 through 423 for \$24,445.61. (\$23,811.11)

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

**Amendment itemized voucher by \$34.50- #410 second by John**

**Amendment itemized voucher by \$600.00-#399**

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

## **Resolution 170 of 2015 Highway Fund Abstract**

A motion was made by Mr. Barber and seconded by Mr. Fracchia to approve payment for the Highway Fund voucher numbers 225 through 257 for \$31,350.21.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

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## **Approval of Minutes Resolution Approval of Minutes of Agenda Meeting October 6, 2015 171**

A motion was made by Mr. Barber and seconded by Ms. Weiser to accept the minutes of October 6, 2015 as submitted by the Town clerk.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

## **Resolution 172 Approval of Minutes of Business Meeting October 14, 2015**

### **Minutes of Business Meeting**

A motion was made by Mr. Barber and seconded by Mr. Fracchia to accept the minutes of October 14, 2015 as submitted and amended by the Town Clerk.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

### **Minutes of Budget Meeting 173**

A motion was made by Mr. Barber and seconded by Mr. Seely to accept the minutes of October 22, 2015 as submitted and amended by the Town Clerk.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

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## **Town Business**

The Board discussed the budget and what to do with the monies to go back into the budget



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**Resolutions**

**Resolution 174 of 2015**

**2016 Budget**

A motion was made by Mr. Barber and seconded by Ms. Weiser

Lower budget line A4540.4 from \$131,000.00 (by \$75,000.00) to \$56,000.00.

Amendment A motion was made by Ms, Weiser and seconded by Mr. Fracchia

Lower budget line A4540.4 from \$131,000.00 (by \$60,000.00) to \$71,000.00.

**Amendment does not pass Adopted** Barber: Aye; Fracchia: Aye; Witmer: nay; Weiser: nay Seely: nay

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: nay Seely: Aye

**Resolution 175 of 2015**

**2016 Budget Amendment**

A motion was made by Mr. Barber and seconded by Mr. Weiser

Amendment budget A1620.44 put \$20,000.00 to \$60,0000 in the Highway Department

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

**Resolution 176 of 2015**

**2016 Budget Amendment**

A motion was made by Mr. Barber and seconded by Mr. Weiser

Amendment budget A9060.8 decrease \$6500 and Increase line A1480.4 by \$2000.00

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

**Resolution 177 of 2015**

**2016 Budget Amendment**

A motion was made by Mr. Fracchia and seconded by Mr. Weiser

Amendment budget A8999.4 increase \$55,000.00 to \$65,0000.00 Broadband

**Not Adopted** Barber: Nay; Fracchia: Aye; Witmer: Nay; Weiser: Nay Seely: Nay

**Resolution 178 of 2015**

**Local Transportation Funding SEND OUT COPIES**

A motion was made by Mr. Witmer and seconded by Mr. Seely

Whereas, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

Whereas, 85 percent of New York's roads and bridges are maintained by local governments; and

Whereas, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

Whereas, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

Whereas, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

Whereas, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

Whereas, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

Whereas, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

Whereas, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

Whereas, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

Whereas, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

Whereas, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT; NOW THEREFORE BE IT

RESOLVED, that the Town of Caroline calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges, and increase CHIPS funding in the 2016-17 state budget accordingly; and BE IT FURTHER

RESOLVED, that the Town of Caroline calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and BE IT FURTHER

RESOLVED, that the Town of Caroline calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

## **Resolution 179 of 2015**

### **Resolution Supporting Design Connect Proposal for Walkways and Bikeways**

A motion was made by Mr. Barber and seconded by Ms. Weiser

Whereas the Design Connect Program at Cornell University is a student-run program offering pro bono design and planning services for community-based projects; and

Whereas the Design Connect RFP invites proposals from local municipalities for design work, including soliciting and gathering public input, research and analysis, and final design plans; and

Whereas the Design Connect RFP specifically invites proposals for streetscape and pedestrian-oriented plans; and

Whereas the 2006 Caroline Comprehensive Plan articulates a vision for enhancing the “livability” of Caroline neighborhoods via pedestrian sidewalks and bikeways; and

Whereas connecting adjacent Caroline neighborhoods with effective, safe pedestrian and bicycle paths would 1) enhance neighborhood interactions during local transit, 2) reduce motor-vehicle use and therefore greenhouse gas emissions, 3) promote wellness by encouraging physical activity, 4) facilitate local commerce, and 5) promote streetscapes that not only encourage neighborly interactions, but also provide attractive infrastructure that could effect traffic-calming; and

Whereas the Town of Caroline Planning Board is currently stewarding the revision of the town's comprehensive plan and is seeking workable plans to achieve community goals; and

Whereas the Town of Caroline Planning Board is submitting a Design Connect proposal for spring 2016 for a plan for pedestrian and bike connectivity between Slaterville Springs, the Boiceville neighborhood, and Brooktondale; and

Whereas Design Connect seeks a flat \$500.00 contribution from collaborating municipal partners;

Therefore be it Resolved that the Town Board of Caroline commits \$500.00 to Design Connect if our proposal is selected for the Design Connect Program.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

### **Resolution 180 of 2015**

#### **Cooper Cemetary**

A motion was made by Mr. Barber and seconded by Mr. Fracchia

Whereas, residents and persons of concern with the Cooper Cemetery have determine that the Cooper Cemetery Association no longer exists, yet has assets at a local bank and sold plots exist ing for future burials, and

Whereas, the Town Board has been inform that the formation of the Cooper Cemetery Association is necessary to access funds and establish contracts for maintenance as well as oversee future burials and sale of unsold lots, and

Whereas, these residents and persons are seeking funding to establish and file a Charter, and

Whereas, the annual cost to the tax payers for mandated maintenance if the cemetery continues abandoned is estimated at \$200/year,

Now Therefore Be It Resolved that the Caroline Town Board hereby authorizes the Town Attorney to assist the Cooper Cemetery leadership in establishing Cemetery Association formation documents and filing at a sum not to exceed \$ 16,000..

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

### **Resolution 181 of 2015**

### **Reserve Fund Creation- Subject to Permissive Referendum**

A motion was made by Mr. Barber and seconded by Mr. Seely

Whereas, the Town Board has determined that the Main Town Barn will be in need of replacement in the not too distant future

Whereas, the Town Board feels that it is financially prudent to establish a reserve funds to have available at the time of construction to both reduce the amount needed to borrow, but also have a down payment so other assets are not required as collateral,

Now therefore Be It Resolves that the Caroline Town Board establish a General Account Reserve Fund entitled "Town Barn Reserve" The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the Reserve Fund is the construction of a replacement Town Barn, and

Be It Further Resolved that the Caroline Town Board directs the Supervisor to transfer \$65,000 from Appropriation Line A1620.44 into that Town Barn General Account Reserve Fund, and

Be It Further Resolved that this transfer is subject to the permissive referendum process so the transfer cannot be made until the referendum is adopted or 30 days have passed since the public was duly notified of this opportunity for a referendum on this transfer.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

### **RESOLUTION: 182 of 2015**

#### **End of Year Bills**

A motion was made by Mr. Barber and seconded by Mr. Fracchia

BE IT RESOLVED, that the Caroline Town Board establishes year end meeting to pay last of 2015 invoices on December 29, 2015 at 7 PM at Caroline Town Hall

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

### **RESOLUTION 183 of 2015**

**Organizational Meeting**

A motion was made by Mr. Barber and seconded by Mr. Witmer

BE IT RESOLVED, that the Caroline Town Board establishes 2016 Organization meeting on January 4, 2016 at 7 PM at Caroline Town Hall

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

**Resolution 184 of 2015****2016 Budget**

A motion was made by Mr. Barber and seconded by Ms. Weiser

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

**Resolution 185 of 2015**

## Universal Broadband Infrastructure Resolution

Whereas, the Caroline Town Board was faced with an eleventh hour changes in the Caroline portion of the NY Connect high speed internet grant roll-out which include only one transmission pole located in a location not identified in Clarity Connects Special Use Permit, and

Whereas, this single pole location is reported to have the position to provide broadband service to approximately 88 unserved households, and

Whereas, the Caroline Town Board is extremely disappointed that the Tompkins County Broadband Committee did not use its leverage to hold Clarity Connect accountable for its representations, within the NY Connect Grant, to the Town of Caroline and the County's Broadband Committee for broadband coverage to un-served households in the Town of Caroline and

Whereas, it is unclear at this time, in what direction the Town Board will proceed to gain universal high speed internet for all of its residents in Caroline,

Now Therefore Be It Resolved, that the Caroline Town Board has elected to accept the change in Phase 1 broadband infrastructure for the benefit of its residents, and

Be It Further Resolved that the Town Board will honor its previous commitments made during the grant application process in the Fall of 2012 to:

Waive the permit fee for the anticipated Road Construction permit application for this infrastructure installation on Vandemark Road.

The Town will install transformed electric service to the pole location on Vandemark Road under these conditions: the electric service installation

- (i) need only conform to the minimum specifications provide by Clarity Connect; and
- (ii) that Clarity Connect specifically inspect and approve all work periodically in progress and upon completion; and
- (iii) that all materials and all installations become the property of Clarity Connect after completion, and
- (iv) that Clarity Connect assume all obligations for inspections, maintenance, repairs, upgrades, replacements, liability, the sufficiency and quality of the power supplied, and all other fact, matters, events, occurrences, and transactions of any kind or nature pertaining to or in any way relating to or arising from such work; and

Be It Further Resolved, that absent a signed service agreement, the Town will make no representations that it endorses this project or service provider.

A motion was made by Mr. Barber and seconded by Mr. Fracchia  
Universal Broadband Infrastructure Resolution

Whereas, the Caroline Town Board was faced with an eleventh hour changes in the Caroline portion of the NY Connect high speed internet grant roll-out which include only one transmission pole located in a location not identified in Clarity Connects Special Use Permit, and

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- (vi) that Clarity Connect specifically inspect and approve all work periodically in progress and upon completion; and
- (vii) that all materials and all installations become the property of Clarity Connect after completion, and
- (viii) that Clarity Connect assume all obligations for inspections, maintenance, repairs, upgrades, replacements, liability, the sufficiency and quality of the power supplied, and all other fact, matters, events, occurrences, and transactions of any kind or nature pertaining to or in any way relating to or arising from such work; and

Be It Further Resolved, that absent a signed service agreement, the Town will make no representations that it endorses this project or service provider.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

---Adjourn---

Adjourned on a motion by Mr. Barber and seconded Mr. Fracchia at **9:49** p.m.

Respectfully Submitted,

Marilou Harrington-Lawson, Town Clerk